

MINUTES OF THE REGIONAL PLANNING COMMISSION MEETING
February 3, 2015

The Stark County Regional Planning Commission met in regular session Tuesday, February 3, 2015, 7:30 p.m., in the Stark County Regional Planning Commission Conference Room. A quorum of the Executive Committee was present.

RPC Members or Alternates

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|------------------------------------|----------------------------------|
| * Mort DeHoff, Washington Twp. | * Wayne Schillig, Marlboro Twp. |
| Vince Marion, City of Louisville | Bob Sanderson, County Appointee |
| * Larry Marcus, City of Massillon | Galen Stoll, Lake Twp. |
| * Dave McAlister, County Appointee | Ellis Erb, Lake Twp. |
| * Ronald Revlock, County Appointee | * Fred Abraham, County Appointee |
| * Joe Mazzola, City of Alliance | |
| * Tony Peldunas, County Appointee | |

Staff

Joe Underwood
Rachel Lewis
Lynn Carlone
Robert Nau
Emma Posillico
Jill Gerber

Beth Pearson
Malia Morrison
Jeff Dutton
Dave Thorley

Others

Gordon D. Woolbert, I, Esq.

* Executive Committee

1) PLEDGE OF ALLEGIANCE

Anthony Peldunas, Chairman, opened the meeting with the Pledge of Allegiance.

2) MINUTES OF THE JANUARY 6, 2015 MEETING

Marion moved, McAlister seconded, and the motion carried to **approve** the minutes of the January 6, 2015 meeting.

3) FINANCIAL REPORT

There being no questions or additions, the financial report for January 2015 will be filed for audit.

4) STAFF REPORT

a. Planning Administration Update - Rachel Lewis, Senior Regional Planner

Lewis reviewed the planning administration activities completed in 2014. Eight preliminary plans and seven final plats were taken in along with 77 site improvement plan reviews for commercial, industrial and multi-family developments. Also completed were 42 administrative waivers, which are the in-house review of small projects that are usually additions to previously approved site improvement plans. The townships that submitted the most site improvement plans were Canton, Jackson and Perry. Lake, Marlboro and Plain townships followed with several other townships having fewer than five site plans. Site plans and administrative waivers were historically done all under one category, but in 2007 the Subdivision Regulations were revised, which broke out the waivers so they could be done in-house. They also received three variance requests. These are the stand alone variances that come in separate from any kind of project, but they are usually for divisions of property. They also made recommendations to the Stark County Commissioners on three proposed street vacations and four annexation requests. Also completed were 224 divisions of property without plat. Divisions of property without plat are also referred to as lot splits. Bethlehem, Jackson, Lake and Marlboro had the most lot splits and Lawrence, Nimishillen, Perry, Plain, Sugarcreek, Tuscarawas and Washington townships had 10-15. There were several of the more rural townships that had fewer than 10. A chart was reviewed that showed how many townships had platted lots versus divisions of property without plat. The Planning Department staff also made recommendations for 23 zoning reviews this year.

Regional Planning co-hosted the Governmental Law Seminar with the Stark County Prosecutor's office, which is done every two years. The Planning Department also helps organize the monthly Zoning Inspector Mutual Assistance meetings, which are helpful to zoning inspectors as it provides an opportunity to share any issues and receive guidance. Their department has also been administering the house numbering for the county since 2008. This year they issued 364 housing numbers. A breakdown of how those house numbers were assigned: 257 house numbers issued for single family, 50 house numbers were issued for commercial projects, 30 were issued for utilities, six were agricultural based, and seven for multi-family.

5) TOWNSHIP ZONING AMENDMENTS

Rachel Lewis presented the following staff review and recommendations:

LAW #1 - Proposed text amendment that would: Add internet sweepstakes and skilled gaming facilities as permitted uses in the B-3 Community Business and I-1 Restricted Industrial Districts. Applicant: Lawrence Township Trustees.

Marion moved, McAlister seconded, and the motion carried to recommend **approval** of the proposed text changes. The following facts were presented to the Commission for consideration:

1. The proposed amendment would add internet sweepstakes and skilled game facilities as permitted uses in the B-3 Community Business District and I-1 Restricted Industrial District.
2. There had previously been a moratorium in place on internet sweepstakes facilities, but the moratorium ended on June 30, 2014. According to the Stark County Prosecutor's Office, the Attorney General's Office now requires internet sweepstakes facilities to obtain a certificate from them to operate, and follow mandatory reporting requirements.
3. Definitions proposed for both internet sweepstakes and skilled game facilities appear to be taken directly from the Ohio Revised Code. While both facilities are grouped together in the revised lists of permitted uses, it should be noted that these facilities are regulated through different methods at the state level, and caution should be used when issuing permits for these facilities.

JA #1 - Proposed rezoning from R-R Rural Residential to I-1 Industrial – Five parcels, approximately 98.25 acres, located on the south side of Shuffel Street and west of Frank Avenue in the SE & SW ¼ Section 2, Jackson Township (legal description on file in office).
Owner/Applicant: Craig Snee/Jamie Wittenoldner. Current Use: Business, Single Family Residential and Open Land; Proposed Use: Industrial.

McAlister moved and Abraham seconded to recommend **approval of a modification** of the proposed rezoning, the modification being to rezone a reduced area of approximately 63 acres, which would extend westward approximately 1,312 feet to the quarter section line, and would eliminate the 50 foot strip that extends southward to Strausser Street.

Attorney Gordon Woolbert spoke on behalf of Richard Kempthorn who owns property in the area. Mr. Kempthorn stands in opposition of this proposal and differs with the recommendations. He doesn't believe it adequately takes into consideration the township's comprehensive plan. Their comprehensive plan has this area zoned with high-tech designations, which can take a lot of different forms such as commercial, research and technology designation, but does not generally take an industrial type classification. They believed the plan had good land use planning, and has not only physical buffering contemplated but also progressive districting. Although this area is contemplated for change, this is not the right type of change. For that reason they stand in opposition to the proposal and request the Commission recommend denial.

A vote was taken on the previous motion of **approval of a modification** and carried. The following facts were presented to the Commission for consideration:

1. The area surrounding this tract is a mixture of land uses. To the west and south is a primarily single-family residential area, while to the north and east the land uses include industrial, business, recreation and public service. The current zoning scheme for this area includes primarily R-R Rural Residential to the east, west and south, and I-1 Industrial to the north.
2. The subject parcel has been part of previous rezoning requests for this area in the past. In 1999, a request was made to rezone this general area to I-1 Industrial. The RPC recommended denial of the request, but suggested that the township initiate an overall rezoning plan for the entire area to identify non-residential target areas. The applicant withdrew the request prior to the township trustees acting on it. In 2002, another request was made to rezone the area to I-1 Industrial. RPC recommended approval of a modification to rezone a reduced area of approximately 70 acres, to better protect the residential uses to the south and west. The township approved a similar

modification; however the applicant withdrew the amendment prior to the date it was to become effective.

3. Since the above-mentioned zone change requests were reviewed, Shuffel Street to the north was extended from (former) Waywood Street to continue east to Frank Avenue, Port Jackson was extended southward to connect with Shuffel, and Frank Avenue was realigned to the north. These improvements were made to provide more direct highway access and to encourage commercial and industrial development in the area.
4. The Stark County 2030 Comprehensive/Transportation Plan identifies the future land use of this area as industrial along Shuffel with developed suburban living area extending southward. Jackson Township's Comprehensive Plan, which was written after the 2030 Plan, designates the future land use in this vicinity as high-tech with residential development extending to the south and west. Since the creation of the high-tech corridor was based on an economic development strategy identified in the township's comprehensive plan, the township should carefully consider the effect of the proposed rezoning and how it would impact the intent of the strategy.
5. The parcel is on the edge of a Drinking Water Protection Area. Polluting land uses, such as commercial chemical and petroleum storage, should be limited within this vicinity. Special precautions should be taken during development to limit impervious surface coverage, and to prevent septic tank effluent and other pollutants from reaching aquifers.
6. The Northern Stark County Area Transportation & Land Use Study was undertaken in 2012 by the Stark County Area Transportation Study (SCATS) to identify future transportation needs and development potential for this area. Two projects identified in this plan include widening both Strausser and Shuffel to 3-lanes to accommodate larger traffic volumes.
7. Accessibility to major highways and airports, as well as water and sewer, are generally necessary for industrial development. This property has easy access to the Akron-Canton Airport and I-77 at the Shuffel Street interchange. The site does appear to fall within the Akron-Canton Airport's overlay zone, a zone created to help minimize incompatibilities between airport noise and surrounding land uses. Residential development is typically discouraged within this zone.
8. According to the Stark County Sanitary Engineer, no sanitary sewer is available to this site at this time. Port Jackson is served by a private lift station which would likely not have the capacity to serve this area. Capacity issues also exist for the sewer system serving the Wyndham Ridge allotment on the south side of Strausser. The closest available sanitary trunk line is some distance to the southeast near I-77 and Applegrove. Should industrial development be identified for this site, sewer availability will need to be carefully analyzed.
9. Rezoning the entire subject area to I-1 Industrial would create a non-conforming use for the two westernmost existing residential homes, as these uses are not permitted in the I-1 Industrial District. As recommended in 2002, a modification of the proposed amendment area would be appropriate to both provide for economic development while also protecting the surrounding residential area. Staff suggests rezoning a reduced area of approximately 63 acres, which would only extend about 1,312 feet west to the quarter section line, and would remove the 50 foot strip extending southward to Strausser, as the site distance along this roadway is not conducive to heavy commercial traffic.
10. When abutting a residential district, screening and buffering are required per the township's zoning requirements. As long as these are adhered to, the proposed zone change, modified as suggested, appears to be compatible with the long-range plans for this area. The township should consider evaluating the zoning districts in this area to ensure that the existing zoning is in keeping

with their comprehensive plan. Rezoning a delineated development corridor in this area may help to maximize the economic development strategy of the comprehensive plan, while also preventing sporadic development into the surrounding residential areas.

6) **SUBDIVISION ACTION**

Ron Revlock presented the Subcommittee's recommendations on the projects reviewed.

FINAL PLAT REVIEW

Meadows at Nobles Pond #6

SW ¼ Section 22, Jackson Township

Revlock moved, Sanderson seconded, and the motion carried to **approve** the final plat for the Meadows at Nobles Pond #6.

SITE IMPROVEMENT PLAN REVIEW

Canton South High School

(156,000 sq. ft. bldg., sidewalk, parking, paving & access drives)

SE ¼ Section 28, Canton Township

Cond. Approval

Certified Appraisal Group

(parking, sidewalk & access drive)

SE ¼ Section 25, Jackson Township

Cond. Approval

DJS Maintenance Facility

(3,200 sq. ft. bldg., 1,120 sq. ft. bldg., stormwater basin, sidewalk, parking, paving & access drives)

SW ¼ Section 31, Bethlehem Township

Cond. Approval

Hartville Slavic Full Gospel Church

(17,224 sq. ft. bldg., sidewalk, parking, paving & access drives)

NW ¼ Section 34, Lake Township

Cond. Approval

Inn at Belden Village

(768 sq. ft. bldg., 1,400 sq. ft. addition, 5,800 sq. ft. addition, 620 sq. ft. addition & sidewalk relocation)

NW ¼ Section 30, Plain Township

Cond. Approval

Mancini Storage Building

(672 sq. ft. bldg., parking, paving, walkway & drive)

NE ¼ Section 11, Plain Township

Cond. Approval

McMahon-Clermont Greenhouse

(2,208 sq. ft. greenhouse)

NW ¼ Section 33, Lawrence Township

E side of Clermont, S of Lawmont

Cond. Approval

Revlock moved, Abraham seconded, and the motion carried to **accept** the Subcommittee's recommendations on the above-noted *site improvement plans*. The Commission also approved a variance request of Section 430.3.B.1.c (north arrow orientation) for Canton South High School, and Section 520.6.B (driveway offset distance) for Certified Appraisal Group.

7) FISCAL ITEMS

- a. Request for Certificate of Resources - Continuum of Care (Fund 850) - \$8,000.00
- b. Request for Appropriation of Funds - Continuum of Care (Fund 850) - \$25,748.15

Pearson stated at the end of the year, they received \$8,000 from the Sisters of Charity Foundation for the agency's work on the homeless programs and the CoC Planner position. They also need to appropriate not only those funds but also an additional \$17,748.15 that they had as cash carry over that was unencumbered at the end of 2014. McAlister moved, Abraham moved, and the motion carried to request the certificate of resources and the appropriation of funds as described above.

8) TRAVEL REQUEST

- a. American Planning Association National Conference in Seattle, Washington
April 17-21, 2015 for Bob Nau and Rachel Lewis

Abraham moved, McAlister seconded, and the motion carried to approve the out-of-state travel for Bob Nau and Rachel Lewis.

9) OTHER BUSINESS

As there was no further business, the meeting was adjourned at 7:56 p.m.

Respectfully,

Anthony Peldunas
Chairman

Wayne Schillig
Secretary